

LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS
7500 Odawa Circle
Harbor Springs, MI 49740

RESOLUTION # 052304-05
Execution of Deed and Escrow of Taxes
for "Biindigen Parcel 2"

WHEREAS the Little Traverse Bay Bands of Odawa Indians holds title, by virtue of the warranty deed recorded at Liber 971 Page 958 , Emmet County Register of Deeds, to the following described parcel of land which the Tribe, by Resolution 071303-03 requested be accepted into trust by the Secretary of the Interior for the Tribe:

Township of Bear Creek, County of Emmet, State of Michigan:
Commencing at a 5/8" rod at the East 1/4 corner of Section 26, Township 35 North, Range 5 West; thence along the East and West 1/4 line of said Section, as monumented, North 88°12'53" West 1321.18 feet to a concrete monument on the East 1/8th line of said Section, as monumented; thence along said 1/8th line, North 01°35'07" East (recorded as North 01°29' East) 1018.26 feet to a concrete monument on the Southeasterly line of Highway U.S. 31 and being the Northwest corner of Lot 158, HIAWATHA HEIGHTS, according to the plat thereof recorded in Liber 5 of Plats, Page 11, Emmet County Records; thence continuing along said 1/8th line, North 01°25'27" East 173.01 feet (recorded as North 01°29' East 174.5 feet) to a 1/2" rod on the Northwesterly line of said highway and being the Southwest corner of Outlot 1 of said HIAWATHA HEIGHTS; thence along the Northwesterly line of said highway, South 61°45'40" West 591.70 feet to a 1/2" re-rod, being the POINT OF BEGINNING of this description: thence North 28°14'20" West 220.00 feet to a 1/2" re-rod; thence South 61°45'40" West 223.92 feet to a 1/2" re-rod on the Northeasterly line of Barney Road; thence continuing South 61°45'40" West 33.73 feet to the centerline of said Barney Road; thence along said centerline South 40°12'28" East (recorded as South 38°52' East) 71.67 feet; thence continuing along said centerline, South 40°49'22" East 153.58 feet (recorded as South 39°33' East 153.76 feet) to said Northwesterly line of said highway; thence along said highway line, North 61°45'40" East 33.81 feet a 1/2" re-rod on the Northeasterly line of said Barney Road; thence continuing along said highway line North 61°45'40" East 175.52 feet to the Point of Beginning, being a part of the West 1/2 of the Northeast 1/4 of said Section 26.

WHEREAS the Department of the Interior is mandated to accept this parcel into trust under 25 U.S.C. § 1300k-4(a);

THEREFORE BE IT RESOLVED that Tribal Chairman Frank Ettawageshik is authorized, by and on behalf of the Little Traverse Bay Bands of Odawa Indians, to execute a warranty deed for the parcel described above transferring title from the Tribe to the United States of America in trust for the Little Traverse Bay Bands of Odawa Indians.

FURTHER RESOLVED THAT the Tribal Council authorizes Tribal Chairman Frank Ettawageshik to execute a tax escrow agreement, if necessary to complete the trust acquisition, with Corporate Title or other suitable escrow agent to place funds in escrow sufficient to cover 1 ½ times the property taxes that would be due annually on the parcel, and to execute any other documents that may be necessary to complete the trust acquisition.

Certification

As Tribal Chairman and Tribal Secretary, we certify that this Resolution was duly adopted by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held on May 23, 2004 at which a quorum was present, by a vote of 7 in favor, 0 opposed, 0 abstentions, and 0 absent as recorded by this roll call.

	In Favor	Opposed	Abstained	Absent
Regina Gasco Bentley	__x__	_____	_____	_____
Frank Ettawageshik	__x__	_____	_____	_____
Fred Harrington, Jr.	__x__	_____	_____	_____
Beatrice Law	__x__	_____	_____	_____
Dexter McNamara	__x__	_____	_____	_____
Rita Shananaquet	__x__	_____	_____	_____
Alice Yellowbank	__x__	_____	_____	_____

Date: _____

Frank Ettawageshik, Tribal Chairman

Dexter McNamara, Tribal Secretary